

**CLARK COUNTY  
CLEAN WATER COMMISSION  
Meeting Notes**

Wednesday, January 4, 2006

6:30 – 8:30 P.M.

Clark County Public Works Operations Conference Room B-1  
4700 NE 78<sup>th</sup> Street, Vancouver

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Clark County Clean Water Commission Members Present

Tim Crawford, Robert Even, Anne Jackson, Bill Owen, Patty Page, Art Stubbs, Virginia van Breemen, Ron Wilson

Clark County Clean Water Commission Members Absent

Susan Rasmussen

Clark County Staff

Trista Kobluskie, Earl Rowell, Jeff Schnabel

Public

Duane Koski, Thom McConathy

**Call to Order**

*Introduction*

The members of the Clark County Clean Water Commission, the public, and Clark County staff were introduced. The meeting was then called to order.

A quorum was achieved.

*Agenda and material review*

The packet includes:

- 1) 1/4/06 Clean Water Commission Meeting Agenda
- 2) 12/7/05 Clean Water Commission Meeting Notes
- 3) proposed changes to the Bylaws
- 4) 2006 Schedule of Activities
- 5) emails regarding Code Enforcement fines
- 6) 2004 Clean Water Commission Annual Report
- 7) information about a proposed annexation by Vancouver
- 8) article from *The Columbian* on groundwater protection
- 9) 2005-06 Clean Water Program budget as of November 30, 2005
- 10) brochure on rain gardens from Watershed Stewards

*Approval*

Mr. Owen requested a change to the December 7, 2005 meeting notes. The notes were then approved.



### *Communications with the Public*

Mr. Rowell stated that the program has had intermittent contact regarding the proposed annexation.

### **Public Comments**

Mr. McConathy stated that the impact of stormwater outfalls to Vancouver Lake is increasing. The 99<sup>th</sup> Street and Chicken Creek outfalls have quantity problems, are depositing sediment, have no filtration, and are degrading the natural wetlands behind the railroad dike. Aerial photos show the area extending from the shore over time. The Bedrosian Line out of Felida has similar problems, though smaller in scope.

Mr. McConathy urged the Commissioners to read the 2003 Performance Audit of the Clean Water Program. Mr. McConathy stated that he spoke to the auditor (Linda Bade) about including information on whether or not Clark County is meeting the requirements of its NPDES permit. Mr. McConathy discovered from the auditor that Clark County charges the lowest stormwater fee in the country for a Phase I NPDES permittee. [Factual note: according to Black & Vetch, authors of the *2005 Stormwater Utility* survey, Clark County's fee ranks 60<sup>th</sup> out of 85 stormwater program fees in the country.]

Mr. McConathy asked the Commission to consider stormwater remediation capital projects identified in the 1995 Burnt Bridge Creek Plan and the 1995 Salmon Creek Legacy Plan. He urged the Commission to direct county staff to identify systematically problems and solutions in each basin in the county. He asked the Commission to push for more commitment to stormwater management from the county.

Mr. Owen responded that the county is beginning the watershed-by-watershed assessment process, beginning with the Whipple Creek assessment. The approach is a pilot, which will be used on other basins.

Mr. Rowell responded that the county asked the public for additional funding to fix the outfalls into the Vancouver Lake area in the mid-1990s, but the community felt the cost was too high. Therefore, only the minimum work was done to alleviate the worst problems. He stated that the Burnt Bridge Creek and the Lakeshore/Salmon Creek plans contained capital projects that focused only stormwater volume control with minimal environmental (pollution reduction) measures. This was to comply with the state Growth Management Act requirements. The base cost was \$40 million in the Lakeshore and Salmon Creek area. To add water quality treatment, the costs rose to \$240 million. Mr. Rowell added that the Clean Water Commission must help market expensive capital improvement projects to the public.

Mr. Owen responded that large volumes of water discharging at high rates of speed could be construed as a water quality issue, particularly since Salmon Creek has a turbidity problem.

Mr. Stubbs asked if any study would show how water quality in Vancouver Lake could be improved. Mr. Rowell responded that a committee is currently working together to study the problem. Mr. McConathy replied that more than \$200,000 has been provided by different agencies to fund a study. He added that more is known about how to clean up a shallow lake since the previous Vancouver Lake study.

Mr. Koski thanked the Clean Water Commissioners for their service to Clark County. Mr. Koski lives in Brush Prairie and grew up in Clark County. He has lived in the Northwest most of his life.

Mr. Koski stated that the county is running out of developable land and that builders will build on the cheapest land available, usually wetlands. Home Depot and Costco both recently built on the headwaters



of Burnt Bridge Creek. [Factual note: the area referenced is actually the headwaters of Curtin Creek.] Mr. Koski stated that the new development by Costco and Home Depot in that area use septic systems, which is a threat to drinking water (groundwater) in the county and that any development in a wetland area should use sewer. [Factual note: the new developments on NE Andresen Road are on sewer.] He stated that the wetland areas should not be built on at all; the area where Costco and Home Depot were built should have been used as public parkland, with man-made lakes stocked with fish, tennis courts, and walkways. Mr. Koski asserted that the county allows too much development without consideration for quality of life and lifestyle in the county, only to gain more tax revenue.

Mr. Koski recommended allowing only ½-acre lots in the rural areas, with a requirement for well water and private septic systems. He recommended that the County Commissioners change focus from tax dollars to water quality and environment in order to preserve the beauty and livability of the county.

Mr. Koski declared that nuclear waster from Hanford may be entering Clark County surface waters through the channel between Vancouver Lake and the Columbia River. As evidence, he stated that sea run cutthroat trout sometimes run on Burnt Bridge Creek.

Mr. Owen asked if Mr. Koski had particular recommendations. Mr. Koski stated, “Stop building where Costco and Home Depot are until any further building is done on sewer system so we don’t have a chance of polluting our water.” Mr. McConathy replied that commercial development in the county unincorporated area all uses sewer.

Ms. Page responded that maintaining the balance between development and the environment is difficult. She asked how many meeting attendees have shopped at Costco or Home Depot on NE Andresen Street. She recommended addressing the problem using a completely different paradigm.

Mr. Stubbs suggested that members get involved with the Growth Management Act and the new proposal on annexation to Vancouver. Ms. van Breemen stated that many new residents of Clark County do not know how to care for acreage. Ms. Jackson stated that we need better laws. Mr. Stubbs said that we are paying for the sins of our fathers and grandfathers all over the United States. Ms. van Breemen asserted that the new people are creating worse problems. Ms. Page responded that all residents – old and new – contribute to the problem. Mr. Stubbs said we have to figure out how not to make it worse.

Mr. Koski requested to know what the annual Clean Water Fee he pays is doing for him as a citizen of Clark County. Mr. Owen replied that the objective of the program is to protect clean water, most notably to fulfill the requirements of the Clean Water Act by obtaining the National Pollutant Discharge Elimination Systems permit (NPDES). Mr. Stubbs replied, "Sweep streets, clean drains, maintain bioswales, build holding ponds, study where the pollutions are coming from, all kinds of things." Mr. Koski answered that he has done all that on his land, so why should he have to pay the fee? Mr. Stubbs responded, “because you drove over here tonight on a road. You don’t sweep the street and neither do I.” Mr. Owen responded that public lands that everybody uses create pollutants.

Mr. Koski stated that some long-time residents of Clark County have paid for years to maintain drainage ways on their properties and should not have to pay the new charge. He stated that his land used to be a swamp until his family and others drained the area from Lacamas Lake through Hockinson by building the China Ditch. Part of the ditch runs through his farm, draining the water directly to Lacamas Lake. The taxpayers in that area have been charged for that drainage system. [Factual note: Mr. Koski lives inside Drainage Improvement District #5, which has the purpose of draining land to promote agriculture.]



Mr. Koski stated that he has installed approximately 5 miles of underground pipe to drain the water from his approximately 150 acres. He claimed that where the water enters China Ditch, it is so clean you can drink it. He does not like paying to clean up water in the rest of the county. Mr. Koski requested that those in the drainage area of China Ditch be exempt from paying the Clean Water Fee.

Ms. van Breemen stated that the natural condition of Mr. Koski's land is wetland; therefore, his efforts to drain it actually contribute to water quality problems. Mr. Koski stated that the only way to farm the land in that area is to drain it then add lime to penetrate the clay. Mr. Koski asserted that draining the land to farm it is not harmful, unlike draining the land in order to pave over it.

Mr. McConathy suggested that addressing the greater issues of development in Clark County is beyond the scope of the Clean Water Commission.

Mr. Owen stated that the fee charged by the drainage district, to which Mr. Koski referred, serves a different purpose than the Clean Water fee (draining land of existing water vs. managing surface runoff). Therefore, property owners in the drainage district should not be exempt from the Clean Water Fee.

Mr. Koski contended that many solutions to surface runoff actually create more problems; the stormwater detention ponds found in many new developments allow pollutants to more easily enter groundwater. He stated that a better solution is to simply let the polluted water run off into the Columbia River.

Mr. Koski asserted that the Board of County Commissioners ignores input from citizens.

### **Old Business**

#### *Commission Bylaws*

Mr. Rowell noted that Mr. Even, Mr. Owen and Ms. Jackson's terms would expire in February. Ms. Jackson stated that she will not seek reappointment and will write a letter to the Board of County Commissioners. Mr. Stubbs will write a letter to the Board of County Commissioners requesting reappointment of Mr. Owen and Mr. Even.

Mr. Owen presented the written draft of proposed changes to the Bylaws (packet item #3). The Commission will vote on the changes at the February meeting.

Mr. Owen also requested that the *Stormwater Management Plan* be put on the county web site.

#### *2006 Meeting Schedule*

Mr. Rowell noted the meeting schedule for 2006. He stated that perhaps one of the most important topics for the Commission to consider in 2006 is Low Impact Development. Another topic is the Annual Report, which the Commission needs to write before June. Stormwater filters are another topic that could use discussion that is more detailed.

Mr. Owen suggested that the group brainstorm a list of all possible topics, then prioritize.

Mr. McConathy requested that the Commission review the upcoming NPDES Permit, types of water quality monitoring, long term planning, review meeting benchmarks from the 2003 audit, and create a plan for evaluating capital projects.



Mr. Schnabel responded that many of the issues Mr. McConathy suggested are being worked on. Mr. McConathy suggested that the Commission should examine philosophies of stormwater management, independent of input from county staff.

#### *Code Enforcement Fines*

Mr. Owen rescinded his previous statement that 50% of the fine revenue goes to the General Fund. In fact, all revenue from fines goes to Community Development. Mr. Rowell noted that the MOU that defines where revenue will go was signed in 1999.

Mr. Owen noted that Ms. Moorhead directed him to speak to the Prosecuting Attorney's Office about fine increases for repeat offenders. Chris Horne told him that the first offense is either \$250 or \$500, and that a second offense in a 5-year period is double the first. Further offenses are the same as the second. Mr. Owen asked if the fine amounts are sufficient in the eyes of the Commission. Ms. Jackson replied, "no." Mr. Owen suggested that the Commission investigate how other jurisdictions deal with repeat offenses. Mr. Rowell suggested that the topic would encompass regulations on builders, economics, and policies.

Mr. Rowell passed around a brochure for Neighbors Invested in Code Enforcement, a new program for volunteer code enforcement. More brochures will be available at the next meeting.

#### **New Business**

##### *Annual Report*

Mr. Owen suggested breaking up the report into sections and assigning groups to write each section. County staff can then unite the document into a cohesive piece. The group will address the topic in more depth at the next meeting.

##### *Proposed Annexation*

Mr. Rowell indicated that the Curtin Creek Enhancement Area capital improvement project under development by the Clean Water Program falls within the boundary of a potential proposed annexation by Vancouver. The Public Works Director has directed the continuation of the project.

Mr. Rowell indicated that the Clean Water Service Fee revenue that would be lost in different annexation scenarios is up to \$1 million per year (about 30% of the revenue), while the loss of service responsibility will likely be less. Marlia Jenkins in the Department of Community Development is synthesizing information about revenue and responsibility changes.

Mr. Stubbs suggested that Commission hold a work session to establish a posture on the issue. The group agreed to meet tentatively on January 18 at 6:30 P.M. to draft a recommendation to the BOCC on the annexation proposals prior to the February meeting of the Boundary Review Board. Mr. Stubbs and Mr. Owen will gather information from county staff and other sources before the work session.

##### *Groundwater Protection*

Mr. McConathy stated that a local coalition of which he is a part applied to the EPA to designate the groundwater beneath Clark County as a "sole source aquifer." If the designation passes, all projects with any federal funding will undergo a review of groundwater impacts by the EPA before approval.



### *Whipple Creek and Curtin Creek Update*

Mr. Owen noted that he and Mr. Crawford met with Jerry Barnett, the project manager on the Whipple Creek project, for an update. Mr. Barnett will keep the group informed via Mr. Crawford and Mr. Owen.

### *Budget*

Mr. Rowell indicated that item #9 shows that the program is essentially on track for spending. Mr. Owen asked the Commissioners to bring any questions about the budget to the next regular meeting.

### *Discussion Topics*

The Commissioners and audience brainstormed topics that the Commission should consider in detail during 2006.

- Interlocal agreements (cities, DID, etc.)
- Schedule meetings with BOCC
- Code Enforcement fines
- Monitoring effectiveness (types)
  - Water Quality projects
- Auditor's performance measures
- Promoting LIDs
- Long range planning
- Annual Report
- Capital Project selection criteria, ranking, weights
- Education program oversight subcommittee
- Establish standards for water quality
- Storm filters
- Incentives
- Review of *Stormwater Management Manual*
- Maintenance of private stormwater facilities

Mr. Owen urged Commissioners to bring any further ideas to the next meeting. Commissioners will then vote upon the top three or four priorities.

### **Adjourn**

The meeting adjourned at 9:00 P.M.

### **Next Meeting**

The next meeting of the Clean Water Commission will be held on Wednesday, February 1, 2006 from 6:30 P.M. – 8:30 P.M. The location is the Camas Police Station at 2100 NE 3<sup>rd</sup> Avenue, Camas.

Respectfully Submitted,  
Trista Kobluskie

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